

Q1 control
monitoring a subscriber service period without monitoring a duration of individual telephone calls and means for automatically communicating service termination date information to a subscriber prior to an expiration of a service period for the subscriber.

Sub B3
Q2 control
14. (Amended) A method of providing prepaid local telephone services to a subscriber having a telecommunications device connected to a subscriber line and in communication with a telephone network via the subscriber line, the method comprising:
establishing a subscriber account on a prepaid local telephone service database, the subscriber account comprising subscriber identification information and a period of service;
monitoring the period of service for the subscriber account at the prepaid local telephone service database independently of a duration of a subscriber telephone call; and
sending service termination information to the subscriber prior to an expiration of the period of service.

REMARKS

I. OFFICE ACTION SUMMARY

Claims 1-19 are presently pending. Claims 1, 8, 14 and 16 are the independent claims. In the Office Action, the Examiner rejected all of the claims. Claim 15 was rejected as indefinite under 35 U.S.C. §112, second paragraph. Claims 8-16 were rejected as anticipated by Taskett (US 5,762,376) under 35 U.S.C. §102(b). The Examiner rejected claims 1 and 3-17 as anticipated by Cohen et al. (US 5,946,380) under 35 U.S.C. §102(e). The Examiner also rejected claims 1-7 as obvious over Taskett in view of Jagadish et al. (US 5,844,972), claim 2 as obvious over the combination Cohen and Taskett, and claims 18-19 as obvious over Cohen under 35 U.S.C. §103(a).

II. CLAIM REJECTIONS UNDER 35 U.S.C. §112, Second Paragraph

The Examiner rejected claim 15 as indefinite for creating two subscriber accounts. Applicant notes that claim 15 depends from claim 14. Claim 14 recites "establishing a subscriber account" Claim 15 expands on this claim element and

defines an embodiment of what “establishing a subscriber account” entails. Specifically, claim 15 begins with the phrase “wherein establishing a subscriber account . . . comprises” and recites an embodiment of establishing a subscriber account, namely:

- receiving a telephone call from the subscriber;
- creating a subscriber account in the database for the subscriber identified by the subscriber’s telephone number;
- receiving a value identification code associated with a prepaid local telephone service program;
- determining a period of service for the identified subscriber account; and
- sending a service order to a local exchange carrier for the subscriber via the telephone network.

In other words, claim 15 defines a version of how to establish a subscriber account and does not recite two separate accounts. Support for claim 15 may be found in the specification at, for example, page 6, line 17 to page 7, line 30. Applicant respectfully requests that the §112 rejection be withdrawn.

II. CLAIM REJECTIONS UNDER 35 U.S.C. §102

A. Rejection of Claims 8-16 under 35 U.S.C. § 102(b) as anticipated by the Taskett reference.

Taskett discloses a prepaid transaction instrument that may be used with a prepaid telephone account. Taskett discloses using this prepaid instrument for prepaid long-distance telephone calls where a user must dial an access number to reach a host computer or service provider, at which point an authorization code is entered and a desired long-distance telephone number may be dialed (FIG. 1; Col. 4, lines 9-20; Col. 6, lines 13-33; Col. 7, line 57 – Col. 8, line 23). A service provider 608 monitors each individual long distance telephone call and decrements a value from the subscriber’s account during the duration of the call (Col. 8, lines 33-40).

CLAIM 8

The invention of claim 8 relates to a system for providing prepaid **local telephone services**. Amended claim 8 recites that the prepaid local telephone service system includes:

a prepaid **local telephone call service center** in communication with the at least one local exchange carrier, the prepaid local telephone service call service center comprising:

an applications server having a processor and a subscriber database, the subscriber database comprising subscriber service period information and subscriber identification information, the applications server further comprising **means for monitoring a subscriber service period without monitoring a duration of individual telephone calls** and means for automatically communicating service termination date information to a subscriber prior to an expiration of a service period for the subscriber.

As is clearly stated in the claim, claim 8 relates to prepaid local telephone services, not prepaid long-distance telephone services. Taskett discloses an entirely different system where a long-distance prepaid calling card is used to separately access a special long distance switch that is only meant for directly connecting the prepaid long-distance card holder to the long distance destination or a remote long-distance carrier (Col. 8, lines 41-47). Further, Taskett fails to teach or suggest means for monitoring a subscriber service period without monitoring a duration of individual telephone calls. Accordingly, Taskett neither teaches nor suggests the prepaid local telephone service system of claim 8. Applicants respectfully request that the rejection of claim 8 be withdrawn. Claims 9-13 are dependent claims, therefore their allowability directly follows from the allowability of independent claim 8.

CLAIM 14

Amended claim 14 relates to a method of providing prepaid **local telephone services** to a subscriber. The method includes:

establishing a subscriber account on a prepaid local telephone service database, the subscriber account comprising subscriber identification information and a period of service;

monitoring the period of service for the subscriber account at the prepaid local telephone service database independently of a duration of a subscriber telephone call; and

sending service termination information to the subscriber prior to an expiration of the period of service.

As described above, the Taskett reference fails to teach or suggest a prepaid local telephone service or a prepaid local telephone service data base. Thus, Taskett also fails to teach or suggest establishing a subscriber account on a prepaid local telephone service database or monitoring the period of service for the subscriber account at the prepaid local telephone service database. Applicants respectfully request that the rejection of claim 14 be withdrawn. Claim 15 is a dependent claim, therefore its allowability directly follows from the allowability of independent claim 14.

CLAIM 16

Claim 16 relates to method of providing prepaid local telephone services to a subscriber having a telecommunications device connected to a subscriber line and in communication with a telephone network via the subscriber line. The method includes, *inter alia*,

sending a suspend message to the telephone network, the suspend message comprising an instruction to suspend local telephone service for the subscriber and to place the subscriber account on hold, wherein the subscriber account is maintained in an inactive state.

As discussed with respect to the previous claims, the Taskett reference fails to teach or disclose a prepaid local telephone service. Claim 16 of the present application recites sending a suspend message comprising an instruction to suspend local telephone service to the subscriber and to place the subscriber account on hold. Taskett et al. not only fails to teach a prepaid local telephone system, it also fails to teach or suggest a suspend message specifically comprising an instruction to suspend local telephone service for a subscriber. Applicant respectfully submits that, for at least these reasons, claim 16 is allowable over the art of record. Claims 17-19 are

dependent claims, therefore their allowability directly follows from the allowability of independent claim 16. Reconsideration is respectfully solicited.

B. Rejection of Claims 1 and 3-17 under 35 U.S.C. § 102(e) as anticipated by Cohen et al.

The Cohen reference discloses a communication system and method of expenditure control where a call expenditure control server 125 provides prepaid or post paid calling services to callers (Col. 3, lines 7-23). The call expenditure control server in Cohen utilizes a control program 224 in a control processor 102 to “monitor[s] the call in progress to determine how much time has elapsed” (Col. 2, lines 30-32) and otherwise continuously monitors the time and value of each call made (Col. 6, lines 19-27; Col. 4, lines 42-47; Col. 4, lines 56-59).

CLAIM 1

Claim 1 of the present application relates to a method of providing prepaid local telephone services to a subscriber having a telecommunications device connected to a subscriber line and in communication with a telephone network via the subscriber line. The method includes:

receiving a telephone call from the subscriber;

identifying a subscriber account in a prepaid local telephone call database for the subscriber based on the telephone number of the subscriber;

receiving a value identification code associated with a prepaid local telephone service program;

determining a period of service for the identified subscriber account;

monitoring the period of service at the prepaid local telephone call database; and

sending termination date information to the subscriber prior to an expiration of the period of service.

Unlike Cohen, where a call is monitored for its duration by a call processor so that time and value are decremented, claim 1 recites the operation of an application

server 22 in a prepaid local telephone system that a) tracks general service activation periods for prepaid **local** telephone service subscribers and b) does not interact with subscribers on a call by call basis to monitor the duration of individual calls.

NOT CLAIMED

Claim 1 recites that a subscriber call is received, a subscriber account is identified in a prepaid local telephone call database for the subscriber based on the telephone number of the subscriber and a value identification code associated with a **prepaid local telephone service program is received**. Cohen mentions the ability to dial an 800 number to somehow replenish a prepaid account, but Cohen fails to teach or suggest how the account is replenished. More specifically, Cohen lacks any teaching of a value identification number associated with a prepaid local telephone service program. As described in the specification of the present application, for example on page 6, lines 17-28, a value identification number (VIN) is a specific number associated with a fixed value in the prepaid local telephone system database. Cohen lacks any teaching of predetermined VINs or fixed values associated with a VIN in a prepaid local telephone system database.

dollar value

Claim 1 also recites determining a period of service for the identified subscriber account and monitoring the period of service at the prepaid local telephone call database. As explained in greater detail in the present specification, for example on page 9, lines 7-27, page 12, lines 4-24, and page 13, lines 23-32, the period of service is not a period of a single call. Instead, the period of service relates to an overall period in which a number of calls may be made and where no continuous call monitoring is required as in Cohen. In contrast to the period of service determination and tracking claimed in claim 1, Cohen requires that each individual call be tracked and that the control processor be involved in the entirety of each call to calculate duration and decrement a value for the call (Col. 4, lines 56-59). The invention of claim 1 recites tracking an entire service period (e.g. a 30 day counter – see, for example, page 9, lines 7-13 and page 12, lines 3-23 in the specification as filed) as opposed to Cohen where call-by-call and minute-by-minute monitoring are required.

NOT CLAIMED

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claim 1 distinguishes over the cited art. Claims 2-7 are dependent claims, therefore their allowability directly follows from allowability of independent claim 1.

CLAIM 8

Amended claim 8 recites, *inter alia*, an applications server in a prepaid local telephone service system where the applications server includes **means for monitoring a subscriber service period without monitoring a duration of individual telephone calls** and means for automatically communicating service termination date information to a subscriber prior to an expiration of a service period for the subscriber.

As discussed with respect to claim 1, the Cohen reference teaches that individual calls are monitored for their duration and that the subscriber account is decremented in time and value for each call (See Col. 4, lines 42-47 and 56-59). Applicants respectfully submit that claim 8 distinguishes over the Cohen reference. Claims 9-13 are dependent claims, therefore their allowability directly follows from the allowability of independent claim 8.

CLAIM 14

Claim 14 relates to a method of providing prepaid **local telephone services** to a subscriber. The method includes:

establishing a subscriber account on a prepaid local telephone service database, the subscriber account comprising subscriber identification information and a period of service;

monitoring the period of service for the subscriber account at the prepaid local telephone service database independently of a duration of a subscriber telephone call; and

sending service termination information to the subscriber prior to an expiration of the period of service.

As described above, claim 14 relates to a prepaid **local** telephone call service. The Cohen reference discloses making "a regular toll call" (Col. 4, lines 27-31). The Cohen reference lacks any teaching of a prepaid local telephone service or establishing a subscriber account on a prepaid local telephone service database.

Additionally, the Cohen reference teaches monitoring each telephone call and decrementing time and dollar value balances for a subscriber. More specifically, Cohen recites "establishing a maximum allowable time for the caller's call based on the information[on the caller's account] and the destination of the caller's call. The processor monitors the call in progress to determine how much time has elapsed." Col. 2, lines 27-31). In contrast to this, claim 14 recites monitoring the period of service independently from a duration of a subscriber's telephone call. For at least these reasons, Applicants respectfully submit that claim 14 is allowable over the art of record. Claim 15 is a dependent claim, therefore its allowability directly follows from the allowability of independent claim 14.

CLAIM 16

Claim 16 relates to method of providing prepaid local telephone services to a subscriber having a telecommunications device connected to a subscriber line and in communication with a telephone network via the subscriber line. The method includes, *inter alia*,

sending a suspend message to the telephone network, **the suspend message comprising an instruction to suspend local telephone service for the subscriber and to place the subscriber account on hold**, wherein the subscriber account is maintained in an inactive state.

As discussed with respect to the previous claims, the Cohen reference fails to teach or disclose a prepaid local telephone service. Claim 16 of the present application recites sending a suspend message comprising an instruction to suspend local telephone service to the subscriber and to place the subscriber account on hold. Cohen et al. not only fails to teach a prepaid local telephone system, it also fails to teach or suggest a suspend message specifically comprising an instruction to suspend local telephone service for a subscriber. Applicant respectfully submits that, for at least these reasons, claim 16 is allowable over the art of record. Claims 17-19 are dependent

claims, therefore their allowability directly follows from the allowability of independent claim 16. Reconsideration is respectfully solicited.

III. CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

A. Rejection of Claims 1-7 over the combination of Taskett and Jagadish et al.

CLAIM 1

Claim 1 of the present application relates to a method of providing prepaid local telephone services to a subscriber having a telecommunications device connected to a subscriber line and in communication with a telephone network via the subscriber line. The method includes:

receiving a telephone call from the subscriber;

identifying a subscriber account in a prepaid local telephone call database for the subscriber based on the telephone number of the subscriber;

receiving a value identification code associated with a prepaid local telephone service program;

determining a period of service for the identified subscriber account;

monitoring the period of service at the prepaid local telephone call database; and

sending termination date information to the subscriber prior to an expiration of the period of service.

Taskett discloses a long distance calling card that requires a user to dial a special access number and that monitors calls so that the account balance is decremented during a call (Col. 8, lines 3-40). Unlike Taskett, where a long distance call is monitored for its duration so that time and value are decremented, claim 1 recites the operation of an application server 22 in a prepaid local telephone system that a) tracks general service activation periods for prepaid **local** telephone service subscribers and b) does not interact with subscribers on a call by call basis to monitor the duration of individual calls.

Claim 1 recites that a subscriber call is received, a subscriber account is identified in a prepaid local telephone call database for the subscriber based on the telephone number of the subscriber and a **value identification code associated with a prepaid local telephone service program is received**. Taskett mentions the ability to somehow replenish a prepaid account, but Taskett fails to teach or suggest how the account is replenished. Additionally, Taskett lacks any teaching of a value identification number associated with a prepaid local telephone service program. As described in the specification of the present application, for example on page 6, lines 17-28, a value identification number (VIN) is a specific number associated with a fixed value in the prepaid local telephone system database. Taskett lacks any teaching of predetermined VINs or fixed values associated with a VIN in a prepaid local telephone system database. The Jagadish reference also fails to teach or suggest a prepaid local telephone service system or a VIN associated with a fixed value in the prepaid local telephone service program. Jagadish merely discusses a system and method for allowing a subscriber to make a call with a prepaid calling card and apply the same calling plan rates as for calls made without a card (Col. 1, lines 15-17; Col. 4, lines 24-28).

Claim 1 also recites determining a period of service for the identified subscriber account and monitoring the period of service at the prepaid local telephone call database. As explained in greater detail in the present specification, for example on page 9, lines 7-27, page 12, lines 4-24, and page 13, lines 23-32, the period of service is not a period of a single call. Instead, the period of service relates to an overall period in which a number of calls may be made and where no continuous call monitoring is required as in Taskett. In contrast to the period of service determination and tracking claimed in claim 1, Taskett requires that each individual call be tracked and that the service provider 608 be involved in the entirety of each call to calculate duration and decrement a value for the call (Col. 8, lines 34-40). The invention of claim 1 recites tracking an entire service period (e.g. a 30 day counter – see, for example, page 9, lines 7-13) as opposed to Taskett where call-by-call and minute-by-minute monitoring are required. As noted above, Jagadish discloses a method of providing a subscriber's

calling plan rates to calls made with a prepaid phone card. Jagadish does not disclose or suggest monitoring a service period for a prepaid local telephone service.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that claim 1 distinguishes over the cited art. Claims 2-7 are dependent claims, therefore their allowability directly follows from allowability of independent claim 1.

B. Rejection of Claim 2 over the combination of Cohen and Taskett

Claim 2 is a dependent claim, therefore it is allowable for at least the same reasons as provided for claim 1 above.

C. Rejection of claims 18-19 over Cohen

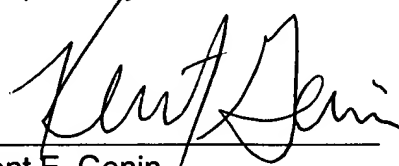
Claims 18-19 are dependent claims, therefore they are allowable for at least the same reasons as provided for claim 16 above.

IV. CONCLUSION

Applicants have amended claims 8 and 14 to more particularly point out and distinctly claim the invention. Pursuant to 37 C.F.R. § 1.121, a marked up copy of amended claims 8 and 14 is attached. The amendments to claims 8 and 14 relate to the feature of the invention where individual calls are not timed. Applicants submit that the amendments are fully supported by the specification as filed.

In light of the above amendments and remarks, Applicants submit that all of the pending claims (1-19) are in condition for allowance. If any questions arise or issues remain, the Examiner is invited to contact the undersigned at the number listed below in order to expedite disposition of this application.

Respectfully submitted,



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APPENDIX A

8. (Amended) In communication with a telephone network having at least one local exchange carrier in communication with at least one subscriber, a system for providing prepaid local telephone services comprising:

a prepaid local telephone call service center in communication with the at least one local exchange carrier, the prepaid local telephone service call service center comprising:

an applications server having a processor and a subscriber database, the subscriber database comprising subscriber service period information and subscriber identification information, the applications server further comprising means for monitoring a subscriber service period without monitoring a duration of individual telephone calls and means for automatically communicating service termination date information to a subscriber prior to an expiration of a service period for the subscriber.

14. (Amended) A method of providing prepaid local telephone services to a subscriber having a telecommunications device connected to a subscriber line and in communication with a telephone network via the subscriber line, the method comprising:

establishing a subscriber account on a prepaid local telephone service database, the subscriber account comprising subscriber identification information and a period of service;

monitoring the period of service for the subscriber account at the prepaid local telephone service database independently of a duration of a subscriber telephone call;

and

sending service termination information to the subscriber prior to an expiration of the period of service.